CHAIR OF
THE COORDINATING BUREAU
OF THE NON-ALIGNED MOVEMENT

Statement by
H.E. Ambassador Eshagh Al Habib
Deputy Permanent Representative of the Islamic Republic of Iran

On behalf of the Non-Aligned Movement

before
The Sixth Committee
6?1h Session of the United Nations General Assembly

on Agenda Item 84:
"The Scope and Application of the Principle of Universal Jurisdiction"
New York, 17 October 2012

Mr. Chairman,

I have the honour to deliver this statement on behalf of the Non-Aligned Movement.

The Non-Aligned Movement continues to follow with high interest the agenda
item 84 entitled "The scope and application of the principle of universal jurisdiction". The Movement reiterates its call upon all States to take this opportunity to reflect on this issue and consider its various aspects with a view to identifying its scope and limits of application and to prevent any inappropriate resort to it.

The Movement also takes note of the Secretary-General's report, contained in document A/67/116 and its addendum, prepared pursuant to General Assembly resolution 66/103, on the basis of comments and observations received from Governments and relevant observers.

enshrined in the Charter of the United Nations, particularly the sovereign equality of States as well as their political independence and non-interference in internal affairs of other States, should be strictly observed in any judicial proceedings. In this regard, the involvement of incumbent high-ranking officials should be dealt with in conformity with international law. The exercise of criminal jurisdiction by national courts, by invoking universal jurisdiction, over high-ranking officials who enjoy immunity under international law, violates the sovereignty of States, which is the most fundamental principle of international law. The Movement submits, therefore, that the immunity of the States officials, which is deeply rooted in the Charter of the United Nations and firmly established in international law, should be fully respected.

Mr. Chairman,

Universal jurisdiction provides a tool to prosecute the perpetrators of certain serious crimes under international treaties. Nonetheless, there are questions and controversies concerning universal jurisdiction, including the range of crimes falling under this jurisdiction as well as the conditions for its application. The Non-Aligned Movement is alarmed about the implications of the application of universal jurisdiction
on the immunity of States officials and, consequently, on the sovereignty of the States concerned. The invocation of universal jurisdiction against some Member Countries of the Non-Aligned Movement in violation of the principle of

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Further clarification is needed to prevent any misapplication or improper resort to universal jurisdiction. The decisions and judgments of the International Court of Justice and the work of the International Law Commission are among the sources which might be useful in our discussions in the Sixth Committee. The Non-Aligned Movement cautions against the unwarranted expansion of the crimes under universal jurisdiction.

Mr. Chairman,

The Non-Aligned Movement Member Countries will engage actively in the deliberations on this agenda item, including within the working group established in accordance with paragraph 2 of the General Assembly resolution_66/103. We encourage
all Member States of the United Nations to be actively engaged in these discussions in order to identify the scope and limits of application of universal jurisdiction, The Member Countries of the Movement remain open to sharing information and practices with other Member States in this regard. We look forward to reaching our common goal of mutual 3 respect, the rule of law around the globe and proper application of universal jurisdiction without its abuse.

I thank you.

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